



6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA-R04-OAR-2017-0385; FRL-9969-29-Region 4]

Air Plan Approval: SC: Multiple Revisions to Air Pollution Control Standards

AGENCY: Environmental Protection Agency (EPA).

ACTION: Withdrawal of direct final rule.

SUMMARY: Due to the receipt of an adverse comment, the Environmental Protection Agency (EPA) is withdrawing the August 16, 2017, direct final rule that approves portions of the South Carolina state implementation plan (SIP) revisions for miscellaneous rules covering air pollution control standards. EPA will address the comment in a subsequent final action based upon the proposed rulemaking action, also published on August 16, 2017. EPA will not institute a second comment period on this action.

DATES: The direct final rule published at 82 FR 38828, on August 16, 2017, is withdrawn, effective [Insert date of publication in the Federal Register].

FOR FURTHER INFORMATION CONTACT: Richard Wong, Air Regulatory Management Section, Air Planning and Implementation Branch, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region 4, 61 Forsyth Street, SW, Atlanta, Georgia 30303-8960. The telephone number is (404) 562-8726. Mr. Wong can also be reached via electronic mail at wong.richard@epa.gov.

SUPPLEMENTARY INFORMATION:

On August 16, 2017 (82 FR 38828), EPA published a direct final rule approving SIP revisions submitted by the State of South Carolina, through the South Carolina Department of Health and Environmental Control (SC DHEC). EPA took a direct final action to approve portions of the October 1, 2007, July 18, 2011, June 17, 2013, August 8, 2014, August 12, 2015, July 27, 2016, and November 4, 2016, submissions that revise Regulation 61-62.5, Standard No. 1 - "Emissions From Fuel Burning Operations" and Regulation 61-62.5, Standard No. 4 - "Emissions From Process Industries."

In the direct final rule, EPA explained that the Agency was publishing the rule without prior proposal because the Agency viewed the submittal as a non-controversial SIP amendment and anticipated no adverse comments. Further, EPA explained that the Agency was publishing a separate document in the proposed rules section of the Federal Register to serve as the proposal to approve the SIP revision should an adverse comment be filed. EPA also noted that the rule would be effective generally 30 days after the close of the public comment period, without further notice unless the Agency received adverse comment by the close of the public comment period. EPA explained that if the Agency received such comments, then EPA would publish a document withdrawing the final rule and informing the public that the rule would not take effect. It was also explained that all public comments received would then be addressed in a subsequent final rule based on the proposed rule, and that EPA would not institute a second comment period on this action.

EPA received one adverse comment from a single Commenter on the direct final rule on both the changes to Regulation 61-62.5, Standard No. 1 and to Standard No. 4. As a result of the comment received, EPA is withdrawing the direct final rule approving the aforementioned

changes to the South Carolina SIP at Regulation 61-62.5, Standard No. 1 and Regulation 61-62.5, Standard No. 4. EPA will address the comment in a separate final action based on the proposed action also published on August 16, 2017 (82 FR 38874). EPA will not open a second comment period for this action.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Particulate matter, Reporting and recordkeeping requirements.

Dated: September 29, 2017.

Onis “Trey” Glenn, III,

Regional Administrator,

Region 4.

Accordingly, the amendments to 40 CFR 52.2120(c) published on August 16, 2017 (82 FR 38828), which were to become effective October 16, 2017, are withdrawn.

[FR Doc. 2017-22103 Filed: 10/12/2017 8:45 am; Publication Date: 10/13/2017]